

**Charter Transition Team Meeting**  
**January 22, 2008**  
**4:30 PM**  
**Library Conference Room, 6<sup>th</sup> Floor**

**Attendance:**

Members: Legislator Gary Bischoff, Chairman  
Legislator Peter Loughran  
Legislator Phil Terpening - *excused*  
Legislator Wayne Harris  
Dr. Gerald Benjamin, SUNY New Paltz  
Marianne Collins, SUNY Ulster - *excused*  
Louis Klein, Attorney

Staff: County Administrator's Office – Arthur Smith  
County Attorney's Office – Bea Havranek, Eric Stock  
County Legislature – Meg Dellay

Public: Tom Kadgen, Emily Johnson, Renee Sachs, Elizabeth Askue – LWV;  
Alan Wickman

**Highlights:**

- 1. Administrative Code**
- 2. Information Meeting**
- 3. Code Project on Local Laws to Repeal**
- 4. Letter to Governor**
- 5. Other**

**Gary Bischoff opened the meeting at 4:32pm.**

Gary announced that Robert Parete stepped down and Peter Loughran was appointed as a committee member. Also, John Decker expressed an interest to join.

**1. Administrative Code** – All members were sent a color-coded hard copy of the Administrative Code in the mail last week, including Departments of Health, Mental Health, Planning, Finance and Comptroller. Bea reported that the most time-consuming sections of the Code are completed. Suggestions for changes followed:

- Jerry Benjamin suggested adding an electronic means to delivery of documents – Eric will look into adding email notations throughout code.
- Deputy Commissioner of Health (p.36, E) – Discussion about the rigorous hiring process to find someone who's qualified to administer AND is a physician. All agreed to change 45 day limit to read "as soon as practicable."
- Discussion of minutes of Board of Health (p.37, B) – Bea said a draft of minutes is not a legal document. In general, minutes are filed with the Clerk of Legislature and then these minutes are approved at the next regular board meeting. There is an inherent delay in the submission of official minutes due to the necessity of members to approve the board minutes of the previous meeting at the next regular board meeting.

- Medical Examiner (p.37) – is it necessary to keep the requirement to be a county resident as stated in Local Law #2, 1979? Bea will research state law.
- Commissioner of Mental Health (p.38, C & D) – includes local laws. Bea added that we will adopt Administrative Code and repeal all local laws.
- Community Services Board (p.39, A) – the words “of health” to be deleted and “except as otherwise noted in the Charter” added to the end of the first sentence.
- Department of Planning (p.40) – extensively reviewed by Charter Commission previously; only added the Deputy position on p.41.
- Department of Finance (p.45) – Bea explained additions recommended by Treasurer’s Office. Section B, 6 is in conflict with Surrogate’s Court Procedure Act. Bea received an opinion from Comptroller’s office that Treasurer had the right to keep the fees - if handed over, then done gratuitously.
- Conflict of Interest (p.46) – added to Commissioner of Finance (also Executive position). Bea explained provision may be removed if Ethics Law is adopted.
- Comptroller (p.47-48) – no changes, language direct from Charter. Gary asked the difference between present Auditor position and future Comptroller. Bea responded main difference is that the County Auditor is not authorized to audit books, records or department programs as the Comptroller will be. Bea suggested that any contract with an agency or not-for-profit stipulate checking their books. Peter Loughran asked about the enforcement powers of Comptroller. Bea clarified that the Comptroller is reporting official; any discrepancies reported to appointing authority or DA.
- Discussion ensued about present auditing department and the need for more people and additional qualifications in the future Comptroller’s Office.

**2. Information Meeting** – Gary would like the Transition Team to present the Administrative Code, completed thus far, to the entire Legislature. It was agreed the Transition Team will hold an Informational Meeting on Thursday, February 7, 2008 at 6pm in the Chambers. The public and press are invited. A memo to all Legislators and a press release will be issued.

**3. Code Project on Local Laws to be Repealed** – Bea reported General Code delivered Codification Portfolio last week. The subcommittee has begun review process and will report further next month.

**4. Letter to Governor** – Gary received a cc letter from Assemblyman Kevin Cahill to Governor Spitzer requesting funding for charter expenses to be included in 2008 state budget. On behalf of the Transition Team, Gary wrote to thank Kevin. Subsequent follow-up letters to state Representatives Bonacic, Larkin, Lopez, Crouch and Kirwan, with Kevin’s letter to the Governor enclosed, were also written. All letters distributed to Transition members. **\*\*[see Attached](#)\*\***

Meeting adjourned at 6:05pm.

**Date of next meeting is Tuesday, February 26, 2008 at 4:30pm in the Library.**